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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/783,477	KUBLER ET AL.	
	Examiner	Art Unit	
	KHUONG TRAN	2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-93* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-93* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. This application is a continuation of U.S. Serial No. 10/141,506 filed May 8, 2002, (Attorney Docket Nos. 14364US01 and DN37998XGB), now U.S. Patent No. 6,850,510 issued February 1, 2005, which is a continuation of U.S. Serial No. 09/037,535 filed March 10, 1998, now U.S. Patent No. 6,389,010 issued May 14, 2002, which is a continuation of U.S. Serial No. 08/539,817 filed October 5, 1995, now U.S. Patent No. 5,726,984 issued March 10, 1998.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 22, 23, 27, 31-33, 37, 41, 42, 45, 49, 50, 53, 57, 58, 61, 63, 67, 68, 71, 73, 77, 78, 81, 85, 86, 89, 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al (U.S Patent No. 5,734,981) in view of Wortham (U.S Patent No. 5,398,190).

Regarding claim 22, Kennedy, III et al teach a system supporting voice communication **(18, FIG. 1)** via a packet network **(16, FIG. 1)**, the system comprising:

- at least one processor **(140, FIG. 3)** capable of receiving, via the packet network **(16, FIG. 1)**, a message requesting setup of a voice call **(column 3, lines 40-43)**, the message comprising a destination address **(column 3, lines 43-52)**;
- the at least one processor **(140, FIG. 3)** capable of sending, via a conventional telephone switching network link **(156, FIG. 3)**, signals based upon the destination address requesting setup of the voice call **(column 12, lines 30-34)**;
- the at least one processor **(140, FIG. 3)** capable of receiving, via the conventional telephone switching network link **(158, FIG. 3)**, signals representing call status **(column 12, lines 35-38)**;
- the at least one processor **(140, FIG. 3)** capable of establishing communication of signals representative of voice **(column 6, lines 59-61)** between the packet network **(16, FIG. 1)** and the conventional telephone switching network link **(158, FIG. 3)**, if call status indicating establishment of a connection is received **(column 11, lines 37-40)**;

However, Kennedy, III et al fail to explicitly teach the at least one processor capable of refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not

resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to refrain from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 27, Kennedy, III et al teach the system of claim 22 wherein the establishing comprises converting information received from the packet network **(16, FIG. 1)** for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 31, Kennedy, III et al teach the system of claim 22 wherein establishing voice communication comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 32, Kennedy, III et al teach a method supporting voice communication via a packet network **(16, FIG. 1)**, the method comprising:

- receiving, via the packet network **(16, FIG. 1)**, a message requesting setup of a voice call **(column 3, lines 40-43)**, the message comprising a destination address **(column 3, lines 43-52)**;

- sending, via a conventional telephone switching network link **(156, FIG. 3)**, signals based upon the destination address requesting setup of the voice call **(column 12, lines 30-34)**;
- receiving, via the conventional telephone switching network link **(170, FIG. 3)**, signals representing call status **(column 12, lines 35-38)**;
- establishing communication of signals representative of voice between the packet network **(16, FIG. 1)** and the conventional telephone switching network link **(158, FIG. 3)**, if call status indicating establishment of a connection is received **(column 11, lines 37-40)**;

However, Kennedy, III et al fail to explicitly teach such method includes refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to refrain from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for

communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 37, Kennedy, III et al teach the method of claim 32 wherein the establishing comprises converting information received from the packet network **(16, FIG. 1)** for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 41, Kennedy, III et al teach the method of claim 32 wherein establishing voice communication comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 42, Kennedy, III et al teach a system **(18, FIG. 1)** supporting voice communication via a packet network **(16, FIG. 1)**, the system comprising:

- at least one processor **(140, FIG. 3)** capable of receiving, via a conventional telephone switching network link **(170, FIG. 3)**, an indication of an incoming voice call **(column 12, lines 35-39)**;
- the at least one processor **(140, FIG. 3)** capable of accepting, via the conventional telephone switching network link **(170, FIG. 3)**, a destination address **(column 12, lines 39-40)**;
- the at least one processor **(140, FIG. 3)** capable of identifying a packet network address based upon the destination address **(column 12, lines 42-45)**;

- the at least one processor **(140, FIG. 3)** capable of sending, via the packet network **(16, FIG. 1)** using the identified packet network address, a message requesting setup of the voice call **(column 12, lines 55-57)**;
- the at least one processor **(140, FIG. 3)** capable of receiving, via the packet network **(16, FIG. 1)**, a message indicating call status **(column 13, lines 21-24)**;
- the at least one processor **(140, FIG. 3)** capable of establishing voice communication between the packet network **(16. FIG. 1)** and the conventional telephone switching network link **(170, FIG. 3)**, if call status indicating establishment of a connection is received **(column 11, lines 37-40)**;

However, Kennedy, III et al fail to explicitly teach the at least one processor capable of refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to make the processor refrain from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an

interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 45, Kennedy, III et al teach the system of claim 42 wherein establishing comprises converting information received from the packet network **(16, FIG. 1)** for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 49, Kennedy, III et al teach the system of claim 42 wherein establishing voice communication comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 50, Kennedy, III et al teach a method supporting voice communication via a packet network **(16, FIG. 1)**, the method comprising:

- receiving, via a conventional telephone switching network link **(170, FIG. 3)**, an indication of an incoming voice call **(column 12, lines 35-39)**;
- accepting, via the conventional telephone switching network link **(170, FIG. 3)**, a destination address **(column 12, lines 39-40)**;
- identifying a packet network address based upon the destination address **(column 12, lines 42-45)**;
- sending, via the packet network **(16, FIG. 1)** using the identified packet network address, a message requesting setup of the voice call **(column 12, lines 55-57)**;

- receiving, via the packet network **(16. FIG. 1)**, a message indicating call status;
- establishing voice communication between the packet network and the conventional telephone switching network link **(170, FIG. 3)**, if call status indicating establishment of a connection is received **(column 11, lines 37-40)**; and

However, Kennedy, III et al fail to explicitly teach such method includes refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to refrain from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 53, Kennedy, III et al teach the method of claim 50 wherein establishing comprises converting information received from the packet network **(16,**

FIG. 1) for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 57, Kennedy, III et al teach the method of claim 50 wherein establishing voice communication comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 58, Kennedy, III et al teach at least one circuit **(18, FIG. 1)** for use in a telephony device **(36, FIG. 1)**, the at least one circuit operational to, at least:

- send a message requesting setup of a voice call to a communication system via a packet network **(16, FIG. 1, column 13, lines 21-24)**, the message comprising a destination address and information **(column 3, lines 43-52, column 12, 55-57)** to cause the communication system to, at least:
    - send, via a conventional telephone switching network link **(156, FIG. 3)**, at least one signal based upon the destination address requesting setup of the voice call **(column 12, lines 30-34)**;
    - receive, via the conventional telephone switching network link **(170, FIG. 3)**, at least one signal representing call status **(column 12, lines 35-38)**;
    - establish communication of signals representative of voice **(column 6, lines 59-61)** between the packet network **(16, FIG. 1)** and the conventional telephone switching network link **(158, FIG. 3)**, if call

status indicating establishment of a connection is received **(column 11, lines 37-40)**;

However, Kennedy, III et al fail to explicitly teach the communication system capable of refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to have the communication system refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 61, Kennedy, III et al teach the at least one circuit of claim 58, where the signals representative of voice comprise modem signals **(column 11, lines 54-56)**.

Regarding claim 63, Kennedy, III et al teach the at least one circuit of claim 58, where establishing communication of signals representative of voice comprises converting information received from the packet network **(16, FIG. 1)** for transmission

via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 67, Kennedy, III et al teach the at least one circuit of claim 58, where establishing communication of signals representative of voice comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 68, Kennedy, III et al teach a method for operating at least one circuit **(18, FIG. 1)** for use in a telephony device **(36, FIG. 1)**, the method comprising:

- sending a message requesting setup of a voice call to a communication system via a packet network **(16, FIG. 1, column 13, lines 21-24)**, the message comprising a destination address and information to cause the communication system to **(column 3, lines 43-52, column 1, lines 55-57)**, at least;
    - send, via a conventional telephone switching network link **(156, FIG. 3)**, at least one signal based upon the destination address requesting setup of the voice call **(column 12, lines 30-34)**;
    - receive, via the conventional telephone switching network link **(170, FIG. 3)**, at least one signal representing call status **(column 12, lines 35-38)**;
    - establish communication of signals representative of voice **(column 6, lines 59-61)** between the packet network **(16, FIG. 1)** and the conventional telephone switching network link **(158, FIG. 3)**, if call

status indicating establishment of a connection is received **(column 11, lines 37-40)**; and

However, Kennedy, III et al fail to explicitly teach such method includes refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to refrain from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 71, Kennedy, III et al teach the method of claim 68, where the signals representative of voice comprise modem signals **(column 11, lines 54-56)**.

Regarding claim 73, Kennedy, III et al teach the method of claim 68, where establishing communication of signals representative of voice comprises converting information received from the packet network **(16, FIG. 1)** for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting

information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 77, Kennedy, III et al teach the method of claim 68, where establishing communication of signals representative of voice comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 78, Kennedy, III et al teach at least one circuit **(18, FIG. 1)** for use in a telephony device **(36, FIG. 1)**, the at least one circuit operational to, at least:

- receive at least one message requesting setup of a voice call **(column 3, lines 40-43)** from a communication system via a packet network **(16, FIG. 1)**, the received at least one message **(**i.e. call delivery information**)** indicative of: the communication system receiving an indication of an incoming voice call and a destination address **(column 3, lines 43-52)** via a conventional telephone switching network link **(170, FIG. 3)**, and the communication system identifying a packet network address for the telephony device **(36, FIG. 1)** based upon the destination address **(column 12, lines 42-45)**; and
- send at least one message **(**i.e. callback message**)** indicating at least call status to the communication system via the packet network **(16, FIG. 1, column 13, lines 21-24)**, the sent message to cause the communication system to:
    - establish voice communication between the packet network **(16, FIG. 1)** and the conventional telephone switching network link **(158, FIG. 3)**,

if call status indicating establishment of a connection is received **(column 11, lines 37-40)**; and

However, Kennedy, III et al fail to explicitly teach the communication system capable of refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to have the communication system refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 81, Kennedy, III et al teach the at least one circuit of claim 78, where establishing voice communication between the packet network and the conventional telephone switching network link comprises converting information received from the packet network **(16, FIG. 1)** for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information

received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 85, Kennedy, III et al teach the at least one circuit of claim 78, where establishing voice communication between the packet network and the conventional telephone switching network link comprises establishing communication of data **(column 11, lines 48-56)**.

Regarding claim 86, Kennedy, III et al teach a method for operating at least one circuit for use in a telephony device, the method comprising:

- receiving a message requesting setup of a voice call **(column 3, lines 40-43)** from a communication system via a packet network **(16, FIG. 1)**, the received message **(**i.e. call delivery information**)** indicative of the communication system receiving an indication of an incoming voice call and a destination address **(column 3, lines 43-52)**, and the communication system identifying a packet network address for the telephony device based upon the destination address **(column 12, lines 42-45)**; and
- sending a message **(**i.e. callback message**)** indicating call status to the communication system via the packet network **(16, FIG. 1, column 13, lines 21-24)**, the sent message to cause the communication system to:
    - establish voice communication between the packet network **(16, FIG. 1)** and the conventional telephone switching network link **(158, FIG. 3)**, if call status indicating establishment of a connection is received **(column 11, lines 37-40)**; and

However, Kennedy, III et al fail to explicitly teach such method includes refraining from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. Wortham teaches the same method and apparatus to Kennedy, III et al's system where the processor is capable of disconnecting calls when the determination is made that the call has not resulted in a connection with the modem **(column 6, lines 21-27)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al to refrain from establishing communication of signals representative of voice between the packet network and the conventional telephone switching network link, if call status indicating establishment of a connection is not received. One is motivated as such to provide an interface necessary for communication between the processor and the mobile cellular device **(column 3, lines 52-55)**.

Regarding claim 89, Kennedy, III et al teach the method of claim 86, where establishing voice communication between the packet network and the conventional telephone switching network link comprises converting information received from the packet network **(16, FIG. 1)** for transmission via the conventional telephone switching network link **(column 12, lines 30-34)**, and converting information received from the conventional telephone switching network link for transmission via the packet network **(column 12, lines 39-45)**.

Regarding claim 93, Kennedy, III et al teach the method of claim 86, where establishing voice communication between the packet network and the conventional telephone switching network link comprises establishing communication of data **(column 11, lines 48-56)**.

4. Claims 23, 33, 59, and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al (U.S Patent No. 5,734,981) in view of Wortham (U.S Patent No. 5,398,190) and further in view of Koyama (U.S Patent No. 5,654,957).

Regarding claims 23, 33, 59, and 69, Kennedy, III et al and Wortham teach the system of claim 22 wherein the destination address comprises a phone number **(column 3, lines 43-54)**. However, Kennedy, III et al and Wortham fail to teach the destination address comprises one of an Internet protocol (IP) address in addition to a phone number. Koyama discloses a packet communication system that enables communication between a unit connected in a conventional telephone network and a communication unit in a packet network. According to the teaching, a processor is capable of identifying the communication unit from the receiving end in order to select the connection path base on its address, whether a telephone number or an Internet Protocol (IP) address **(column 5, lines 52-67, column 6, lines 1-10)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al and Wortham to include an IP address in the destination address as taught by Koyama. One is motivated as such to integrate communications by permitting voice communication on the LAN in addition to a conventional telephone network **(column 1, lines 11-18)**.

5. Claims 24, 25, 28, 29, 34, 35, 38, 39, 43, 46, 47, 51, 54, 55, 60, 64, 65, 70, 74, 75, 79, 82, 83, 87, 90, and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al (U.S Patent No. 5,734,981) in view of Wortham (U.S Patent No. 5,398,190) and further in view of Henley et al (U.S Patent No. 5,526,353).

Regarding claims 24, 34, 43, 51, 60, 70, 79, and 87, Kennedy, III et al and Wortham teach the method of claims 22. Kennedy, III et al and Wortham, however, fail to explicitly teach the conventional telephone switching network link is an analog communication link. Henley et al teach a communication system supporting audio data over a packet-based network consisting a telephone set interface (TSI) that accepts analog signal from the telephone instrument **(column 9, lines 51-54)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teachings of Kennedy, III et al and Wortham to make the conventional telephone switching network link an analog communication link as taught by Henley et al. One is motivated as such to restore the digitized sample and convert it into an analog voltage for reproduction in the telephone instrument **(column 10, lines 18-23)**.

Regarding claims 25 and 35, Kennedy, III et al teach the system of claim 24 wherein the signals representative of voice comprise modem signals **(column 11, lines 54-56)**.

Regarding claims 28, 38, 46, 54, 64, 74, 82, and 90, Kennedy, III et al and Wortham teach the system of claim 27, wherein converting information received from

conventional telephone network link **(170, FIG. 3)** comprises determining voice activity based upon the information received from the conventional telephone switching network link **(column 12, lines 55-61)**. Kennedy, III et al and Wortham et al however, fail to explicitly teach the following:

- reducing the quantity of information transmitted via the packet network, if voice activity is determined to be below a predetermined level; and
- refraining from reducing the quantity of information transmitted via the packet network, if voice activity is determined not to be below the predetermined level.

Henley et al teach a system and method for communication of audio data over a packet-based network. It is disclosed the system further comprises a decimation circuit for reducing the transmission of audio data from a designated location of the buffer to shorten the portions of the stream of audio data in the buffer. The circuit addresses the problem when data are read from the buffer slower than they are written to the buffer **(column 5, lines 65-67, column 6, lines 1-5)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teachings of Kennedy, III et al and Wortham to have the operational software reduced the quantity of digitized voice information exchanged via the information transmission device by changing the packetization of digitized voice when voice activity on one of the plurality of communication networks falls below a predetermined level. One is motivated as such to ensure the buffer stays close to its predetermined length for efficient realignment of the audio data in the buffer **(column 6, lines 11-14)**.

Regarding claims 29, 39, 47, 55, 65, 75, 83, and 91 Kennedy, III et al teach the method of claim 22. Kennedy, III et al and Wortham, however, fail to teach the establishing comprises converting analog representations of voice signals to analog representations of voice signals. Henley et al teach a system and method for communication of audio data over a packet-based network. The system according to the embodiment consist of a decompression/analog conversion circuit for converting a stream of digital audio data to analog audio signal **(column 7, lines 27-31)** and a digital compression circuit for converting analog audio signal into a stream of digital audio data **(column 7, lines 19-21)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teaching of Kennedy, III et al and Wortham to have the establishing comprised converting analog representations of voice signals to analog representations of voice signals taught by Henley et al. One is motivated as such to compensate for jitter in a computer network in order to provide high fidelity transmission of audio data through the network **(column 4, lines 66-67)**.

6. Claims 26, 36, 44, 52, 62, 72, 80, and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al (U.S Patent No. 5,734,981) in view of Wortham (U.S Patent No. 5,398,190) and further in view of Harland (U.S Patent No. 4,706,242).

Regarding claims 26, 36, 44, 52, 62, 72, 80, and 88, Kennedy, III et al and Wortham teach the system of claim 22 wherein the call status represents one of a ringing condition **(column 13, lines 9-12)**, and connection established condition

(column 13, lines 6-9). Kennedy, III et al and Wortham fail to explicitly teach the call status also represents a busy condition. Harland discloses a digital telecommunication system in which a mode of operation entails displaying information such as user's identity and status of the called user's terminal indicating whether the telephony facility is busy **(column 5, lines 61-68)**. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teachings of Kennedy, III et al and Wortham to include the busy condition in the call status as taught by Harland. One is motivated as such to enable the exchange of identity and status information regardless of the existence of prior connections **(column 6, lines 13-15)**.

7. Claims 30, 40, 48, 56, 66, 76, 84, and 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al (U.S Patent No. 5,734,981) in view of Wortham (U.S Patent No. 5,398,190) and further in view of Henley et al (U.S Patent No. 5,526,353) and Sharman (U.S Patent No. 5,774,854).

Regarding claims 30, 40, 48, 56, 66, 77, 84, and 92, Kennedy, III et al, Wortham, and Henley et al teach the system of claim 29. Kennedy, III et al, Wortham, and Henley et al, however, fail to teach the converting of digital representations of voice signals to analog representations of voice signals comprises buffering of digital representations for a period of time to minimize gaps in the resulting analog representation caused by changes in a propagation delay. Sharman teaches a text to speech system operating in real using an acoustic processor and a linguistic processor. Due to the computational time the linguistic processor requires to process data, future requests from the acoustic processor cannot be made. Thus gaps in the speech output often occur when the

acoustic processor requests data from the linguistic processor. Sharman proposes a solution to overcome the gaps in data by adjusting the buffer for minimal of output data so that future requests can be supplied in a timely manner **(column 7, lines 39-48)**. Hence the propagation delay caused by the linguistic processor is a factor affecting the adjustment in the buffer for desired optimal output. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention was made to modify the teachings of Kennedy, III et al, Wortham, and Henley et al to have the conversion of digital representations of voice signals to analog representations of voice signals comprises buffering of digital representations for a period of time to minimize gaps in the resulting analog representation caused by changes in a propagation delay as taught by Sharman. One is motivated as such to accurately halt the system based on the output in the event that an interruption occurs **(abstract, column 2, lines 34-39)**.

Conclusion

8. Any response to this Office Action should be **faxed** to (571) 273-8300 or **mailed** to:

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag G. Shah, can be reached at (571) 272-3144. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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/K. T./

April 14, 2008

/Chirag G Shah/
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